

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS' MEETING**  
**GOVERNMENTAL CENTER**  
**Tuesday, May 23, 2006**

**Present:** Commissioner President Thomas F. McKay

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George G. Forrest, County Administrator

Donna Gebicke, Administrative Assistant (Recorder)

The meeting was called to order at 9:10 a.m.

**APPROVAL OF CHECK REGISTER**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register as presented. Motion carried 5-0.**

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of May 16, 2006, as presented. Motion carried 5-0.**

**PROCLAMATIONS**

The Commissioners presented a proclamation in recognition of National Safe Boating Week to Hal Willard, Patuxent River Sail and Power Commander, and Kay Simpkins, past Commander and current District Commander.

**COUNTY ADMINISTRATOR**

1. Draft Agendas for May 30 and June 6, 2006

2. **State's Attorney's Office** (*Daniel Joseph White, Assistant State's Attorney*)

**Action: Commissioner Dement moved, seconded by Commissioner Mattingly, to approve the acceptance of Grant Award #CSAF-2006-1142 from the Governor's Office of Crime Control and Prevention in the amount of \$12,000 for the fiscal period July 1, 2005, through June 30, 2006. Motion carried 5-0.**

**3. Department of Economic and Community Development** (*John Savich, Director;*

*Dennis Nicholson, Exec. Dir., SMC Housing Authority; and Rhonda Garcia, Program Mgr., SMCHA)*

**a. Action: Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign a Budget Amendment in the amount of \$350,000 decreasing the General Obligation Bonds-Sold Revenue and Demolition Expense Accounts, and increasing the County's General Obligation Bonds-Sold Revenue and Construction--Other Contract Costs Expense Accounts which reduces the County's portion of the funding for the Demolition project at Lexington Manor North. Motion carried 5-0.**

**b.c.d.e. Action: Commissioner Raley moved, seconded by Commissioner Jarboe, to: (1) approve and sign the Resolution authorizing the Housing Authority of St. Mary's County's submittal of three applications for Community Development Block Grant (CDBG) funds totaling up to \$800,000; (2) approve and authorize the Commissioner President to sign the CDBG application for \$280,000 that will be used to renovate and preserve affordable housing in the Colony Square subdivision in Lexington Park; (3) approve and authorize the Commissioner President to sign the CDBG application for \$250,000 that will be used to address essential repairs related to fire safety, complete a Physical Property Needs Assessment, test for asbestos and implement a remediation plan, and install a commercial grade playground for neighborhood use at the Greenview Village Apartments; and (4) approve and authorize the Commissioner President to sign the CDBG application for \$45,000 that will be used for property infrastructure and site preparation for the site located at 44595 Old St. Andrews Church Road. Motion carried 5-0.**

*Commissioner Raley stated that the Commissioners received a memo dated May 16, 2006, from the Real Property Manager advising that the Lease Agreement for the County-owned property located at 44595 Old St. Andrews Church Road was still pending. Staff was directed to further research the status of the lease and to provide the Commissioners with the benefits and disadvantages of a 99-year lease vs. a simple conveyance.*

**4. Finance Department** (*Elaine Kramer, CFO)*

**a. Action: Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and sign Resolution 2006-39 authorizing the exempt financing of the vehicle plan for FY2006 and authorize the Commissioner President, County Administrator, and the Chief Financial Officer to execute the documents necessary to obtain the exempt financing that was planned for the purchase of replacement and new vehicles and as approved in the FY06 Budget. Motion carried 5-0.**

**b. Action: Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize Commissioner President to sign a Budget Amendment which will move \$2,000 from the Finance postage account to the Procurement postage account. Motion carried 5-0.**

**c. Action: Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President to sign a Budget Amendment in the amount of \$18,284 closing out the General Obligation Bond Issuance Cost Project #EF0502 and returning remaining funds to the FIN06 CIP Reserve. Motion carried 5-0.**

**5. Department of Public Works and Transportation** (*George Erichsen, Dir.; Elaine Kramer, CFO*)

**a. Action: Commissioner Raley moved, seconded by Commissioner Dement, that based on**

**Elaine Kramer's memo of May 16, 2006, and George Erichsen's recommendation to waive or make exception to Paragraph 12-3.1d of the Manual of Procurement Regulations & Procedures entitled, "Design Within Funding Limitations," for the construction administration services associated with the Naval Air Museum project to allow award of a contract without the standard "Design Within Funding Limitations" clause. Motion carried 4-1. Commissioner Mattingly voted nay.**

**b. Action: Commissioner Jarboe moved, seconded by Commissioner Raley, to approve and authorize Commissioner President to sign a Budget Amendment in the amount of \$210,175 to fund the Architect and Engineering design line item for the Municipal Solid Waste Transfer Station to be constructed on the site of the St. Andrews Landfill. Motion carried 5-0.**

*Staff was asked to require contract trash haulers to have the same standard for cleanliness as we have for our facilities and vehicles.*

**c. Action: Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign a Budget Amendment that will realign the Inventory Account balance by \$24,000 prior to reconciling at the end of the fiscal year. Motion carried 5-0.**

**d. Commissioners reviewed the Memorandum of Agreement from the Maryland Emergency Management Agency and the associated grant from the Maryland Dept. of the Environment to elevate three residential structures in the Piney Point area above the 100-year floodplain under the Hazard Mitigation Grant Program. No action was taken.**

*The Commissioners directed staff to obtain signed letters from the homeowners acknowledging their agreement to pay their 12% share of the costs to elevate their homes and to then bring back this item back to the Board for consideration at the next meeting.*

**6. Department of Aging** (*Jennie Page, Acting Director; Peggy Maio, Fiscal Supervisor*)

**Action: Commissioner Dement moved, seconded by Commissioner Mattingly, to accept the Memorandum of Understanding between St. Mary's County Dept. of Aging and St. Mary's Home for the Elderly to provide a reimbursement of fifty cents per meal served under the Congregate Housing Services Program, not to exceed \$21,900 meals per fiscal year, and not to exceed a total reimbursement of \$10,950. Motion carried 5-0.**

## **NATIONAL ASSOCIATION OF COUNTIES (NACO) ANNUAL MEMBERSHIP FEE**

Commissioner President McKay asked if there was any opposition from the Board to bring back for reconsideration the budget amendment to fund the cost of the County's 2006 NACo membership. No opposition was expressed.

## **CHESAPEAKE PUBLIC CHARTER SCHOOLS (CPCS) UPDATE**

Present: Kathleen Glaser, Chairperson, CPCS

Dr. Christine Bergmark, Board member

Ms. Glaser and Dr. Bergmark reported on the status of the Chesapeake Public Charter School (CPCS). The charter was signed by the Superintendent of St. Mary's County Schools. A provision in the charter calls for the identification of a school site before September 1, 2006. CPCS has explored 19 potential spaces and is hopeful to secure a vacant commercial space. The Commissioners and general public were asked to provide CPCS with ideas on possible buildings that might be available. The plan is to open the school in 2007 with grades K-4 and to add a grade each year up to grade 8.

## **DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION (DPW&T): PROPOSED RESOLUTION TO ADJUST ST. ANDREWS LANDFILL TIPPING FEE FOR OVERSIZED LOADS**

Present: George Erichsen, Director, DPW&T

Following discussion at the May 2, 2006, Board meeting on the recent tip fee increase at the Appeal Solid Waste Facility, the Commissioners directed staff to bring forward a Resolution to include new tip fees for oversize loads at St. Mary's County solid waste facilities.

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the Resolution and Revised Fee Schedule for Public Solid Waste Acceptance Facilities as presented by staff. Motion carried 5-0.**

## **DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT (LUGM) & HISTORIC PRESERVATION COMMISSION (HPC)**

Present: Teresa Wilson, Historic Preservation Planner, LUGM

James Grusholt, Vice Chair, HPC

Hal Willard, HPC member

Robert Gibson, HPC member

The Commissioners presented a proclamation for Historic Preservation Month to the Historic Preservation Board members in attendance. Teresa Wilson described the awards selection process and the Commissioners presented proclamations for the following projects:

St. Andrew's Episcopal Church, Preservation Project Award for Restoration of the church building.

Accepting: Karen Everett, Reverend Paula Robinson, John McAndrew, Don Schram, and Tom Moore.

St. Mary's County Community Affairs Committee and St. Mary's County Board of Library Trustees, Preservation Service Award for reissuing of the book, *300 Years of Black Cooking in St. Mary's County, Maryland*. Accepting: Lois Coryell, Marilyn Lash, Kathleen Reif, Mary Helen Woodland, Karen Everett (representing corporate sponsor, BAE), Joseph Bush, and Everlyn Holland.

John Parlett, Jr., Preservation Service Award for spearheading the Transfer of Development Rights Citizen Study Group. Accepting for John Parlett, Jr.: Joseph Densford and William McKissick.

Mr. Donald Hammett, Ranger for the Department of Natural Resources, Preservation Service Award for his stewardship of the Sims-Bond Tobacco Barn on Greenwell State Park. Accepting:

Dave Kelsey and Mike Bush. Robin Melton, Park Supervisor for Point Lookout and Greenwell, offered to get Mr. Hammett's award to him.

## **COMMISSIONER TIME**

### Commissioner Raley

I want to thank staff for the great job on the Welcome Center in Charlotte Hall. This past weekend we had the privilege of cutting the ribbon on this very significant project, which would not have happened without a lot of hard staff work. Staff saved the County a lot of money by doing a lot of the work in-house - - and, it's a very nice facility.

Congratulations to the 7<sup>th</sup> District on two wonderful events: the Holy Angels Brunch and the Chaptico Strawberry Festival. Also want to express my appreciation to the Airport Advisory Committee. Commissioner Dement and I attended the public hearing on the environmental assessment for the airport runway extension. This project is coming to a close and will enhance an already valuable County asset.

St. Mary's County is getting ready to graduate its high school students. This is a very significant moment in their lives and they will want to celebrate. Please keep in mind that no one wants another tragedy in St. Mary's County. Please be safe.

### Commissioner Dement

I missed the Welcome Center opening due to my granddaughter's First Holy Communion.

Presented a proclamation on behalf of the Board to Gene Wood in recognition of his 41 years of service to the St. Mary's County public school system. Attended the Chamber of Commerce Legislative Wrap-up Breakfast, the Holy Angels Brunch, and the Strawberry Festival in Chaptico - which were all very enjoyable events.

Attended *Kids Day in America* event sponsored by Dr. Daniel Alexander's Chiropractic Center. Chiropractors from around the world dedicate a day of health, safety, and environmental awareness to the children of the community. The kids enjoyed finger painting, tattooing, food and prizes.

Commissioner Mattingly

I visited the Loveville Mennonite Wholesale Auction House and asked the participants how the year has been going. All of those involved with the project have said they are extremely satisfied with the success this year. They are transitioning from flowers and garden supplies to vegetables. The neighbors are also pleased with the way things are going and are satisfied with way it is managed.

I went with Don Lewis from the Nursing Center to a MEMA meeting of folks involved in the public housing sector to create state-wide evacuation plans. This was the first in a number of meetings to address some of the problems experienced in Hurricane Katrina.

Congratulations to Abell Longmore who was honored as Democratic of the Year. Abell is a good friend to all of St. Mary's County and is well-deserving of this recognition. He has done a lot for this County over his lifetime through his business and community involvement.

The National Lawnmower Races will be hold once again at the Bowles Farm on July 14 and 15. The event will be much larger this year. I want to encourage everyone to come out and support this fun event. Proceeds will benefit the 7th District Rescue Squad.

Commissioner Jarboe

I want to echo the sentiment of thanks to all of the staff involved in completing the Charlotte Hall Welcome Center project, and also want to personally thank the Board for being so supportive of tourism. The Welcome Center is a huge step ahead for tourism promotion. I hope all of the citizens of St. Mary's will come up to Charlotte Hall and visit the Center - - it is for you, too, not just for visitors. Anyone can learn something about St. Mary's that they didn't know before.

I will be heavily involved on the Great Mills High School Engineering Club over the next two weeks. On June 4 I will go to Hagerstown with the Club to the National Electric Drag Racing Association records with two cars to race. St. Mary's County's Great Mills High School Engineering Club holds the National Drag Racing Association record for the fastest high school built street rod and we're looking to also go into the fastest high school built modified car. The people who build electric cars for a living and inspect our cars find innovations they never even thought of. We should be very proud that St. Mary's County is the best in the country.

Commissioner McKay

I encourage everyone to come out to the new Welcome Center in Charlotte Hall and have a picnic with your family and learn something new about St. Mary's County. County employees went above and beyond to get this project completed - - just as they did with Hurricane Isabel. As we approach Hurricane season, we will be putting together a drill.

If there was a bright side to the event at Leonardtown High school, it served as further evidence of what a good school we have. The school and every student and backpack was searched top to bottom and no drugs or weapons were found. The teachers, students and parents are to be commended. We should be very proud of how calm the students remained under very difficult circumstances.

I agree with Commissioner Mattingly's comments on Abell Longmore. He is a great citizen of St. Mary's County - - from his service to the country in Viet Nam, his business's support of non-profits and other groups, to his overall community involvement. He is a model for other citizens to emulate.

**GOVERNOR'S OFFICE OF HOMELAND SECURITY (GOHS): 2006 GRANT PROGRAM**

Present: Dennis Schrader, GOHS Director

Charles Madden, Law Fellow

Mr. Schrader briefed the Commissioners on the 2006 Homeland Security Grant program, including information about how the program is different this year, what the state has done to adjust these changes, and what the changes will mean to St. Mary's County.

**VOTE TO MOVE INTO EXECUTIVE SESSION**

**Commissioner Raley moved, seconded by Commissioner Dement, to enter into**

**Executive Session for the purposes of discussing property acquisition and litigation as provided for in Article 24, Sections 4-210(a)11 and 4-210(a)8, respectively. Motion carried, 5-0.**

**EXECUTIVE SESSION**

**Litigation**

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George Forrest, County Administrator

Christy Holt Chesser, County Attorney

Joseph Kovars and Jeffrey Regner, Attorneys for St. Mary's County in

pending litigation (via conference call)

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)8

Time Held: 2:05 p.m. – 2:19 p.m.

Action taken: The Commissioners discussed pending litigation matter.

**Real Property Acquisition**

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George Forrest, County Administrator

Christy Holt Chesser, County Attorney

John Savich, Director, DECD

Donna Sasscer, Agricultural Manager

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Authority: Article 24, Section 4-210(a)11

Time Held: 2:20 p.m. – 2:41 p.m.

Action taken: The Commissioners discussed potential property acquisition.

**ADJOURNMENT**

The meeting adjourned at 2:41 pm and was followed by a Budget Work Session.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

\_\_\_\_\_

Donna Gebicke, Administrative Assistant